

REMARKS/ARGUMENTS

Initially, Applicants would like to express their appreciation to the Examiner for the detailed Office Action provided. Applicants would also like to thank the Examiner for withdrawing the previous rejection of claims under 35 U.S.C. §112, first paragraph.

In the outstanding Office Action, claims 12 and 15-17 were rejected under 35 U.S.C. § 103(a) over HUNA (U.S. Patent No. 6,944,273). Claims 13 and 18 were rejected under 35 U.S.C. § 103(a) over HUNA in view of RANALLI et al. (U.S. Patent No. 6,748,057). Claim 14 was rejected under 35 U.S.C. § 103(a) over HUNA in view of GOODMAN (U.S. Patent No. 6,735,617). Upon entry of the present paper, the pending claims will not have been amended. Nevertheless, in view of the herein-contained remarks, reconsideration and withdrawal of the outstanding rejections is respectfully requested and believed to be appropriate and proper.

Claims 12-15 and 18 generally relate to a server apparatus connected to a transmitting IP apparatus. The transmitting IP apparatus transmits an e-mail to a receiving IP apparatus via the server apparatus. The server apparatus includes a memory configured to store an IP address of the receiving IP apparatus in association with a telephone number of the receiving IP apparatus. The IP address of the receiving IP apparatus is distinct from an e-mail address. The server apparatus further includes a receiver configured to receive the e-mail from the transmitting IP apparatus. The e-mail includes the telephone number of the receiving IP apparatus.

The server apparatus further includes an analyzer configured to obtain, from the received e-mail, the telephone number of the receiving IP apparatus, and to obtain, from the memory, the IP address of the receiving IP apparatus associated with the telephone number of the receiving IP apparatus. The receiving IP apparatus of the IP address is the same as the receiving IP

apparatus of the telephone number. The server apparatus further includes a transmitter configured to transmit the received e-mail to the receiving IP apparatus, based on the IP address of the receiving IP apparatus. Claim 16 recites a generally related system. Claim 17 recites a generally related method.

HUNA relates to an apparatus and method for entering and transmitting a message at a future delivery time to a receiving device that is coupled either to a telephony-centric network or to a data-centric network. In HUNA, for receiving devices 532 connected to a data-centric network, the message server 402 (514) translates the message into a format compatible with the receiving device 532 and initiates delivery of the message. For receiving devices 520, 524, 528 connected to a telephony-centric network, the message server 402 (514) embeds a telephone number of the receiving device 520, 524, 528 into the message. The IP address of the local POP 408 (516) corresponding to the embedded telephone number of the receiving device 520, 524, 528 is obtained, and the message is routed to the IP address of the local POP 408 (516) (col. 15, lines 52-60 and col. 16, lines 53-58).

HUNA does not disclose that the message server 402 (514) obtains, from a received e-mail, the telephone number of a receiving IP apparatus, and obtains, from a memory, the IP address of the receiving IP apparatus associated with the telephone number of the receiving IP apparatus, the receiving IP apparatus of the IP address being the same as the receiving IP apparatus of the telephone number.

The Office Action incorrectly asserts that HUNA teaches that the receiving IP apparatus of the IP address is the same as the receiving IP apparatus of the telephone number (col. 15, lines 50-60). That is, for receiving devices 532 connected to the data-centric network 406, the

message server 402 (514) routes messages directly to the IP address of the receiving device (col. 15, lines 52-54). Thus, the message server 402 (514) does not embed a telephone number of a receiving device 532 into the message. On the other hand, for receiving devices 520, 524, 528 connected to the telephony-centric network, the message server 402 (514) embeds the telephone number of the receiving device into the message along with contact protocol for the receiving device, and routes the message to the IP address of the local POP 408 (516) corresponding to the embedded telephone number. Upon reception of the message, the local POP 408 (516) directs the local switch 454 to call the receiving device over the telephony-centric network (col. 15, lines 54-62). The receiving device is distinct from the local POP 408 (516).

In neither scenario does HUNA teach that the receiving IP apparatus of the IP address (i.e., the local POP 408 (516)) is the same as the receiving IP apparatus of the telephone number (i.e., the receiving device 520, 524 or 528).

Additionally, while HUNA discloses storage of an e-mail address, HUNA does not disclose that the server 402 (514) stores an IP address of a receiving IP apparatus. In this regard, the claimed memory defines the IP address of the receiving IP apparatus as being distinct from an e-mail address. Col. 15, lines 19-25 does not mention storage of an IP address, and lines 51-52 disclose routing of the message to the IP address of the receiving IP apparatus but not storage of the IP address at the message server 402 or routing to an IP address based on any storage of the IP address at the message server 402.

Furthermore, the assertion that Fig. 7 shows the “To” field as indicating Richards’ telephone number being distinct from Richard’s IP address is not relevant to the recitations of the

pending claim. Rather, according to claim 12 the IP address of the receiving IP apparatus is distinct from an e-mail address.

The reliance upon column 15, lines 19-25 and lines 51-55 as disclosing the memory recited in claim 12 is also misplaced. The first cited portion merely discloses that a recipient can be aliased to several receiving addresses to include a telephone number, page number, fax number, and e-mail address. The second cited portion merely discloses that the server routes messages directed to a receiving device connected to the data-centric network directly to the IP address of the receiving device. For those receiving devices connected to a telephony-centric network, the message router embeds the telephone number of a receiving device and contact protocol for the receiving device into the message, and routes the message to the IP address of the local POP 408 (516) corresponding to the embedded telephone number. However, these portions of HUNA do not disclose a memory configured to store an IP address of the receiving IP apparatus in association with a telephone number of the receiving IP address.

Additionally, the Office Action incorrectly asserts that the claimed analyzer and transmitter are disclosed at column 15, lines 50-60. However, this portion of HUNA relates to the routing of messages either directly to a receiving device 532 or to a local POP 408 (516). For receiving devices 532 that are connected to the data-centric network 406, messages are routed directly to the IP address of the receiving device. A telephone number is not utilized in such routing for devices connected to the data-centric network 406. On the other hand, for receiving devices 520, 524, 528 connected to the telephony-centric network, a message router embeds a telephone number of a receiving device into the message, and routes the message to the IP address of the local POP 408 (516) corresponding to the embedded telephone number.

Furthermore, upon the local POP 408 (516) receiving the message, the message for receiving devices connected to the telephony-centric network is transmitted via the telephony-centric network by the local switch 454. Thus, a transmitter in HUNA is not configured to transmit the received e-mail to the receiving IP address, based on an IP address of the receiving IP apparatus.

As discussed above, when messages designated for receiving devices connected to the data-centric network 406 are routed directly to the IP address of a receiving device, the message server 402 (514) merely translates the messages into formats compatible with the receiving devices. In other words, in this case, the message server 402 (514) does not embed any telephone number of the receiving devices into the messages, and does not rely on any telephone number of the receiving devices to obtain the IP address of the receiving IP apparatus. On the other hand, for receiving devices connected to the telephony-centric network, the message server 402 (514) embeds the telephone number of a receiving device into the message along with contact protocol for the receiving device, and routes the message to the IP address of the local POP 408 (516) corresponding to the embedded telephone number. However, in this case, the message server 402 (514) embeds the telephone number of the receiving device into the message 534, and sends the message 534 to the IP address of the local POP 408 (516) (col. 16, line 53 - col. 17, line 31). Then, the local POP 408 (516) contacts the receiving device using the embedded telephone number (col. 17, lines 43-63). Thus, the local POP 408 (516) of the IP address is different from the receiving device 520, 524, 528 of the telephone number.

In either situation described in HUNA, the message server 402 (514) does not disclose the features recited in claim 12. That is, HUNA does not disclose at least a server apparatus that

includes an analyzer configured to obtain, from the received e-mail, the telephone number of the receiving IP apparatus, and to obtain, from the memory, the IP address of the receiving IP apparatus associated with the telephone number of the receiving IP apparatus, “the receiving IP apparatus of the IP address being the same as the receiving IP apparatus of the telephone number”. Further, HUNA does not disclose at least a server apparatus that includes a transmitter configured to transmit the received e-mail to the receiving IP apparatus, based on the IP address of the receiving IP apparatus. Thus, since HUNA does not disclose numerous of the recitations of claims 12 and 15-17, these pending claims are allowable over HUNA.

Furthermore, the Office Action has taken Official Notice that the concept of implementing telephony over data centric network is old and the advantages of such implementation are well known in the art. While this is undoubtedly true, the purpose and function of HUNA is to enable the transmission of messages to a receiving device that is connected either to a telephony-centric network or to a data centric network. The asserted modification of replacing POTS in HUNA with a data-centric network renders the entire purpose of HUNA superfluous and unnecessary. In other words, if the entire HUNA system were converted to a data centric network, there would be no need for those aspects of the disclosure thereof dealing with the ability to transmit messages over POTS.

That is, HUNA represents an integration of IP and POTS. Thus, converting all of HUNA to a digital data centric telephone network would render the need for integration, which is a prime purpose of HUNA, totally unnecessary. For at least these reasons, the Official Notice in the Office Action is inappropriate and improper.

As set forth above, the rejection of independent claim 12 is improper and should be withdrawn. The rejection of independent claims 16 and 17 is also improper and should be withdrawn at least for reasons similar to those set forth above with respect to independent claim 12 insofar as claims 16 and 17 recite a system and a method with features similar to the features of the server apparatus recited in claim 12. Each of dependent claims 13-15 and 18 is allowable at least for depending, directly or indirectly, from an allowable independent claim, as well as for additional reasons related to their own recitations including those set forth below.

Regarding the rejection of claims 13 and 18 under U.S.C. § 103(a), HUNA does not disclose a server apparatus which includes an analyzer configured to obtain, from the received e-mail, the telephone number of the receiving IP apparatus, and to obtain, from the memory, the IP address of the receiving IP apparatus associated with the telephone number of the receiving IP apparatus, the receiving IP apparatus of the IP address being the same as the receiving IP apparatus of the telephone number. HUNA also does not disclose a server that includes a transmitter configured to transmit the received e-mail to the receiving IP apparatus, based on the IP address of the receiving IP apparatus.

RANALLI relates to an IP-PBX system that accepts a telephone number as a destination address, contacts a directory server, requests an IP address related to the telephone number and returns the IP address to the IP-PBX system (col. 7, lines 51-67 and col. 8, lines 1-18). However, RANALLI does not disclose at least the claimed analyzer. Rather, RANALLI merely teaches that an IP-PBX system contacts the directory server to request the IP address related to the telephone number and the IP address is returned to the IP-PBX system. Thus, RANALLI

does not contain any disclosures regarding a server that includes an analyzer configured to obtain, from the received e-mail, the telephone number of the receiving IP apparatus.

Further, RANALLI does not disclose at least a server that includes a transmitter configured to transmits the received e-mail to the receiving IP apparatus, based on the IP address of the receiving IP apparatus. Rather, in RANALLI the directory server merely returns the IP address to the IP-PBX system.

Thus, the pending claims are not disclosed, suggested or rendered obvious by RANALLI and HUNA, regardless of whether RANALLI discloses error notification. Moreover, the Office Action has not set forth any proper motivation for the proposed combination aside from the unsupported assertion that HUNA and RANALLI are analogous art. In this regard, motivation must constitute some suggestion, incentive or other basis for the proposed combination, not merely the assertion that two patents come from analogous fields.

Therefore, the rejection of claims 13 and 18 is improper for at least the reasons set forth above.

Regarding the rejection of claim 14 under U.S.C. § 103(a), GOODMAN relates to a system in which, when the sender's computer 920 sends a facsimile message to the recipient's facsimile machine 975, the facsimile message is sent from the sender's computer 920 to the sender's mail server 930. An address of the facsimile machine 975 includes a telephone number of the facsimile machine 975 and a domain name of the facsimile mail server 950. The sender's mail server 930 obtains an IP address of the facsimile mail server 950 from the DNS server 945, based on the domain name of the facsimile mail server 950. The sender's mail server 930 forwards the facsimile message to the facsimile mail server 950, based on the IP

address of the facsimile mail server 950. The facsimile mail server 950 selects a gateway to which the facsimile message should be forwarded and forwards the facsimile message to the selected gateway. The gateway is selected based on loads on different gateways at a time when the facsimile communication is forwarded. Ultimately, the facsimile message is delivered from the selected gateway to the facsimile machine 975 over a conventional telephone network 970 (col. 6, lines 54-67 and col. 7, lines 1-33).

However, in GOODMAN, a telephone number is assigned to facsimile machine 975 (col. 6, lines 63-67), but an IP address is not assigned to the facsimile machine 975. The telephone number assigned to the facsimile machine 975 is a conventional telephone number (col. 6, lines 38-46). In other words, GOODMAN does not contain any disclosure regarding an IP address of the facsimile machine 975. Thus, in GOODMAN, a facsimile message is forwarded from the VOIP Outbound Gateway 956 to the facsimile machine 975 over the conventional telephone network 970, using the telephone number of the facsimile machine 975.

Further, an address, for example, 1112223333@faxservername.xxx, is utilized for forwarding a facsimile message to the facsimile machine 975. The address consists of the conventional telephone number of the facsimile machine 975 and a name of the facsimile mail server 950 (col. 6, lines 38-46 and col. 7, line 15). In other words, the address does not include an address of the VOIP Outbound Gateway 956. Thus, GOODMAN does not contain any disclosure regarding a telephone number of the VOIP Outbound Gateway 956.

Thus, GOODMAN does not disclose a H.323 gatekeeper which stores the IP address of the receiving IP apparatus associated with the telephone number of the receiving IP apparatus, since GOODMAN does not contain any disclosure regarding an IP address of the facsimile

machine 975 or a telephone number of the VOIP Outbound Gateway 956. GOODMAN also does not disclose an analyzer configured to determine whether the memory stores the IP address of the receiving IP apparatus. Further, GOODMAN does not disclose a transmitter which accesses the H.323 gatekeeper to obtain the IP address of the receiving IP apparatus when it is determined that the memory does not store the IP address of the receiving IP apparatus.

Additionally, Fig. 13 of GOODMAN shows a gatekeeper lookup table which contains zones, gateway addresses, and gateway priority. However, none of these teach an IP address of the receiving IP apparatus associated with the telephone number of the receiving IP apparatus.

Further, the Office Action has not set forth any proper basis or motivation for the combination of the teachings of GOODMAN and HUNA. The mere assertion, even if true, that GOODMAN and HUNA are in analogous arts, does not in and of itself provide the suggestion required for a proper motivation under 35 U.S.C. § 103.

Therefore, the rejection of claim 14 is improper for at least the reasons set forth above.

That is, as explained above, each of the claims now pending is allowable over the documents applied in the Office Action, whether these documents are considered alone or in any proper combination. Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections, and an indication of the allowability of all the claims pending in the present application, in due course.

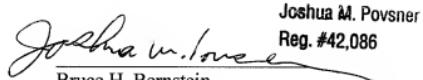
SUMMARY AND CONCLUSION

Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so. With respect to the pending claims, Applicants have pointed out the features thereof and have contrasted the features of the rejected claims with the disclosure of the references. Accordingly, Applicants have provided a clear evidentiary basis supporting the patentability of all claims in the present application and respectfully request an indication of the allowability of all the claims pending in the present application in due course.

The undersigned hereby authorizes the U.S. Patent and Trademark Office to charge any fees necessary to maintain the pendency of the above-identified application, including any extension of time fees to Deposit Account No. 19-0089.

Should there be any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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